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PATENT
Customer No. 22,852
Attorney Docket No. 07553.0024-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Kazushi TAHARA et al.)
) Group Art Unit: 2857
Serial No.: 10/648,341)
) Examiner: J. West
Filed: August 27, 2003)
) Confirmation No.: 3400
For: PART MAINTENANCE SYSTEM)
AND PART MAINTENANCE)
METHOD OF SEMICONDUCTOR)
PROCESSING SYSTEM)

MAIL STOP PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

04/13/2005 SZEWDIE1 00000059 10648341
01 FC:1454 1370.00 0P

Sir:

**PETITION UNDER 37 C.F.R. § 1.78(a)(3) TO ACCEPT AN
UNINTENTIONALLY DELAYED CLAIM FOR DOMESTIC PRIORITY**

Applicants hereby submit this petition under 37 C.F.R. § 1.78(a)(3) to accept an unintentionally delayed claim for priority under 35 U.S.C. § 120. The above-referenced application is a continuation-in-part application under 35 U.S.C. § 120 of prior-filed, non-provisional U.S. patent application No. 09/893,628, filed June 29, 2001, which was pending as of the filing date of the present application, August 27, 2003, and which is now abandoned.

According to 37 C.F.R. § 1.78(a)(2)(ii), reference to the prior-filed application must be submitted within the later of four (4) months from the actual filing date of the application claiming the benefit of priority or within sixteen (16) months from the filing

date of the prior-filed application. The present application was filed on August 27, 2003, and the prior-filed application was filed on June 29, 2001. As a result, reference to the prior-filed application was due to be submitted by December 27, 2003 (i.e., four (4) months from the filing date of the present application). Applicants have submitted herewith an Amendment, which amends the present application to make reference to the prior-filed application in the first sentence of the specification of the present application.

Applicants hereby state that the entire delay between December 27, 2003, and the date of this petition was unintentional, in accordance with 37 C.F.R. § 1.78(a)(3)(iii). Applicants' intention to claim priority to the prior-filed application is evidenced by Applicants' filing of a Request for a Continuation-In-Part Application (hereinafter "Request") (attached), which explicitly stated that the present application is a continuation-in-part application under 37 C.F.R. § 1.53(b) of pending prior U.S. patent application No. 09/893,628, filed June 29, 2001. In the Request, Applicants also enclosed a complete copy of U.S. application No. 09/893,628, and requested that it be incorporated by reference into the present application. In addition, part (63), entitled "Related U.S. Application Data" located on the front page of the publication of the present application, US 2004/0071161, published April 15, 2004 (attached), recites that the present application is a "Continuation-in-part of application No. 09/893,628, filed on June 29, 2001, now abandoned." Applicants failure to amend the specification to include reference to the prior-filed application was not realized by Applicants until receipt of the non-final Office Action dated January 14, 2005, which identifies the lack of any reference to the prior-filed application in the first sentence of the specification of the

present application. In view of these circumstances, Applicants respectfully submit that Applicants' failure to timely amend the specification of the present application to make reference to the prior-filed application was clearly unintentional for the entire time between December 27, 2003, and the filing date of this petition.

In the Amendment responsive to the non-final Office Action dated January 14, 2005, which has been filed concurrently herewith, Applicants have amended the specification of the present application to insert the reference required by 35 U.S.C. § 120 and 37 C.F.R. § 1.78(a)(2)(i), which specifies the prior-filed application by its series code, application number, and filing date, and which indicates the relationship between the present application and prior application. In particular, the Amendment filed herewith adds the following recitation as the first sentence of the specification:

This application is a continuation-in-part of U.S. non-provisional patent application No. 09/893,628, filed June 29, 2001, which is now abandoned.

Applicants have enclosed herewith a check for \$1,370.00 to cover the fee for this petition in accordance with 37 C.F.R. §§ 1.78(a)(3)(ii) and 1.17(t).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may

jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

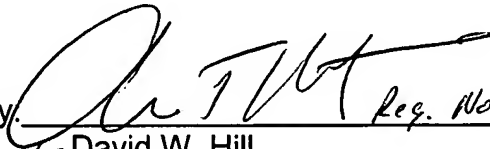
As the requirements under 37 C.F.R. § 1.78(a)(3) for a petition to accept an unintentionally delayed claim for priority under 37 C.F.R. § 120 have been met, Applicants respectfully request that this petition be granted, such that the U.S. Patent and Trademark Office properly recognizes this application as a continuation-in-part of U.S. patent application No. 09/893,628, filed June 29, 2001.

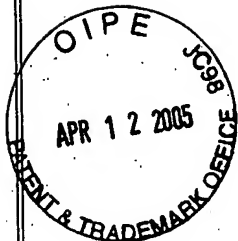
Please grant any extensions of time required to enter this petition and should any additional fees be required for the consideration or acceptance of this petition, please charge them to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 12, 2005

By:  *Reg. No. 48 216*
David W. Hill
Reg. No. 28,220



PATENT
Customer Number 22,852
Attorney Docket No. 07553.0024-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Prior Application Art Unit: 2857 Prior Application Examiner: Jeffrey R. West

SIR: This is a request for filing a

☐ Continuation ☒ Continuation-in-Part ☐ Divisional Application under 37 C.F.R. § 1.53(b) of pending prior Application No. 09/893,628 filed June 29, 2001, of Kazushi TAHARA and Akira OBI for PART MAINTENANCE DEVICE OF SEMICONDUCTOR PROCESSING SYSTEM AND METHOD FOR OPERATING THE SAME.

1. ☒ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, as originally filed. I hereby verify that the attached papers are a true copy of prior Application No. 09/893,628, as originally filed on June 29, 2001, which is incorporated herein by reference.
2. ☒ Enclosed is a complete copy of the continuation-in-part application.
3. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125. The undersigned hereby verifies that no new matter is added in this substitute specification.
4. ☐ Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 122(b)(2)(B)(i).
5. ☐ Cancel Claims _____.
6. ☐ A Preliminary Amendment is enclosed.
7. ☐ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 5 above.

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Basic Application Filing Fee					\$750	\$ 750.00
	Number of Claims		Basic	Extra Claims		
Total Claims	18	-	20		x \$18	
Independent Claims	2	-	3		x \$84	
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$280	
Subtotal						\$ 750.00
Reduction by ½ if small entity						-
TOTAL APPLICATION FILING FEE						\$ 750.00

8. ☒ Checks for \$750.00 to cover the filing fee and \$410.00 00 to cover the two-month Extension of Time fee are enclosed.
9. ☒ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
10. ☒ New acceptable drawings are enclosed.
11. ☒ The prior application is assigned of record to: Tokyo Electron Limited
12. ☒ Priority of Application No. JP2000-199137, filed on June 30, 2000, in Japan is claimed under 35 U.S.C. § 119. A certified copy is on file in the prior application.
13. ☐ Small entity status is appropriate and applies to this application.
14. ☒ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter,

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15. ☐ The power appears in the original declaration of the prior application.
16. ☐ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
17. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, Customer Number 22,852.

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18. ☐ Recognize as associate attorney _____
19. ☐ Also enclosed is _____

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in parent Application No. 09/893,628, filed June 29, 2001, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 27, 2003

By: David W. Hill
David W. Hill
Reg. No. 28,220

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US 20040071161A1

(19) **United States**(12) **Patent Application Publication** (10) Pub. No.: **US 2004/0071161 A1**
Tahara et al. (43) Pub. Date: **Apr. 15, 2004**(54) **PART MAINTENANCE SYSTEM AND PART
MAINTENANCE METHOD OF
SEMICONDUCTOR PROCESSING SYSTEM**(30) **Foreign Application Priority Data**

Jun. 30, 2000 (JP) JP2000-199137

(75) Inventors: **Kazushi Tahara, Yamanashi (JP);
Akira Ohi, Yamanashi (JP)****Publication Classification**(51) Int. Cl.⁷ H04J 3/16; H04J 3/22

(52) U.S. Cl. 370/465

Correspondence Address:

**FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER****LLP****1300 I STREET, NW****WASHINGTON, DC 20005 (US)**(57) **ABSTRACT**

A factory-side system having at least one semiconductor processing system, and a vendor-side system owned by an administrator who manages the maintenance of the semiconductor processing system are connected to each other through a bidirectional network. The factory-side system stores a allowable limit value of operation time of a preset part, measures actual operation time of the part, compares the actual operation time and the allowable limit value with each other to judge the operation state of the part, and sends an order processing request of the part to the vendor-side system through the network in accordance with a result of the judgement. If the vendor-side system receives the order processing request of the part, the vendor-side system carries out the order processing of the part. With this, it is possible to prevent trouble, accident and the like of the part.

(73) Assignee: **Tokyo Electron Limited**(21) Appl. No.: **10/648,341**(22) Filed: **Aug. 27, 2003****Related U.S. Application Data**(63) Continuation-in-part of application No. 09/893,628,
filed on Jun. 29, 2001, now abandoned.